

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 9003 – SB 9002

October 27, 2021

SUMMARY OF BILL: Prohibits the state, a local government, or a political subdivision of this state from requiring the COVID-19 vaccine as a condition of employment.

Establishes that a private employer must document certain information if the employer requires the COVID-19 vaccine as a condition of employment, and that the private employer is liable for damages if an employee has a severe adverse reaction or develops a severe health condition as a result of receiving the vaccine.

Clarifies that a private employer is not prohibited from terminating the employment of an employee who refuses a vaccine mandate.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- The U.S. Supreme Court issued a ruling in February 20, 1905, *Jacobson v. Massachusetts*, upholding the right of states to compel vaccination.
- Each state decides which vaccines are required based on recommendations from the Centers for Disease Control and Prevention Advisory Committee on Immunization Practices (ACIP).
- Immunization or vaccination for COVID-19 is currently not required by any state or local governmental entity in Tennessee. Prohibiting any such future requirement will not result in a significant fiscal impact to the state or local government.
- The proposed legislation will not significantly impact any programs or policies of state or local governments or result in a significant increase in caseloads; therefore, any fiscal impact is estimated to be not significant.
- If the proposed legislation prohibits a state or local entity from following any future federal vaccination mandate, federal funding could be jeopardized.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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